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COMMONWEALTH of VIRGINIA

L. Preston Bryant, Jr.
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY
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Director
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January 23, 2006

Ms. Laura Casillas
On-Scene Coordinator
EPA Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: Removal Action – Oceana Salvage Site, Virginia Beach, Virginia

Dear Ms. Casillas:

In response to your request of January 18, 2006, and pursuant to Section 121 of the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9621) and Section 300.400 of the National Oil and Hazardous Substance Pollution Contingency Plan (40 C.F.R. § 300.400), enclosed please find the Commonwealth of Virginia's Applicable or Relevant and Appropriate Requirements (ARARs) for the EPA removal action to be conducted at the above-referenced site. Following your review of this information, you are requested to provide this office with confirmation of EPA's intent to comply with these requirements.

The removal of surface soils to 800 mg/kg for commercial/industrial use and 400 mg/kg for residential use of lead would be consistent with both the EPA screening level and the Virginia Voluntary Remediation Tier II level.

Since the removal response contemplated involves handling, storage, treatment or disposal of a hazardous waste, the provisions of the *Hazardous Waste Regulations* would govern such activities. The transportation of hazardous waste must be accomplished in accordance with the provisions of the *Hazardous Waste Regulations* and the *Regulations Governing the Transportation of Hazardous Materials*. The *Virginia Waste Management Act* provides the statutory basis for these regulations.

Also please note that any air emissions from disturbance of soil at a site, or from treatment of soil or water, or from other pollutant management activities, must meet the *Standards of Performance for Visible Emissions and Fugitive Dust/Emissions [Rule 5-1]*,

Ms. Laura Casillas, OSC

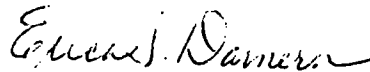
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Environmental Protection Agency National Emission Standards for Hazardous Air Pollutants [Rule 6-1], the Emission Standards for Toxic Pollutants from New and Modified Sources [Rule 6-5], and must not exceed the National Ambient Air Quality Standard.

Following your review of this information, you are requested to provide this office with confirmation of EPA's intent to comply with these requirements.

If you have any questions regarding this correspondence please do not hesitate to contact me at (804) 698-4201.

Sincerely,



Erica S. Dameron
ARARs Coordinator
Office of Remediation

Cc: Chris Evans, VDEQ-CO
Devlin Harris, VDEQ-CO
Pat McMurray, VDEQ-CO
Maria Nold, VDEQ-TRO